

WRITTEN QUESTION E-4744/08
by Antonio De Blasio (PPE-DE)
to the Commission

Subject: Integrity of NATURA 2000 areas compromised

The property with land register number 0319, which belongs to the Ministry of Defence and is situated in the Mecsek hills (a Special Area of Conservation), forms part neither of the area of conservation nor of the areas protected by NATURA 2000, in spite of the fact that the area around it belongs to the protection zones. The property with land register number 0319 was formerly part of the HUDD20030 "Mecsek" Special Protection Area for birds, part of the NATURA 2000 network. The designation of the property as a construction site has broken up the continuity of the protection area for birds.

Directive 79/409/EEC¹ (the Birds Directive) states, with regard to special protection areas, that '... Member States shall take appropriate steps to avoid pollution or deterioration of habitats or any disturbances affecting the birds, in so far as these would be significant having regard to the objectives of this Article...'

Directive 92/43/EEC² (the Habitats Directive) lays down that 'Member States shall take appropriate steps to avoid, in the special areas of conservation, the deterioration of natural habitats and the habitats of species as well as disturbance of the species for which the areas have been designated, in so far as such disturbance could be significant in relation to the objectives of this Directive'.

The aim of Directive 2000/60/EEC³ (the Water Framework Directive) is to reduce the emission of hazardous substances to water and to secure the drinking water supply for the population.

In the light of the above, I have the following questions for the Commission:

Can a defence interest, which could be realised by using a different location, take precedence over the protection of a nature conservation area and the realisation of nature conservation interests?

The construction project – sanctioned by a permit to build a military facility which was issued by the Ministry of Defence in a fast-track procedure – will involve dynamiting 6 500 m³ of rock, moving 33 000 tonnes of building materials, the construction of a mineral oil tank and the generation of hazardous substances. Does the project infringe Directive 2000/60/EEC (the Water Framework Directive), since the *Tubes-tető*, which forms part of the HUDD20030 "Mecsek" Special Protection Area for birds (part of the NATURA 2000 network), is a protected drinking water source for the city of Pécs and a particularly important part of the Mecsek karst water catchment area?

Should military interests be given priority in peacetime, in view of the principle of making every possible effort and the precautionary principle?

¹ OJ L 103, 25.4.1979, p. 1.

² OJ L 206, 22.7.1992, p. 7.

³ OJ L 327, 22.12.2000, p. 1.